IN RE: PETITION FOR RESIDENTIAL * BEFORE THE ZONING VARIANCE * ZONING COMMISSIONER N/S Cedar Park Court, 485 ft. W of C/L Cedar Mill Road * OF BALTIMORE COUNTY 14 Cedar Park Court 2nd Election District * Case No. 92-249-A 2nd Councilmanic District Mark W. Pointer, et ux * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1801.2.C.2.d of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.S.a and V.B.5.b (CMDP) to permit a window and building to tract boundary setback of 25 ft. in lieu of the required 35 ft. and 30 ft. respectively, and to amend the First Amended Final Development Plan of Cedar Mills for Lot No. 24, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24 day of January, 1992 that the Petition for a Zoning Variance from Section 1801.2.C.2.d of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B.S.a and V.B.S.b (CMDP) to permit a window and building to tract boundary setback of 25 ft. in lieu of the required 35 ft. and 30 ft. respectively, and to amend the First Amended Final Development Plan of Cedar Mills for Lot No. 24, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > -2-

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

AFFIDAVIT IN SUPPORT OF RESIDENTIAL ZONTING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at 14 CEDAR PARK COURT regard thereto. RANDALLSTOWN, MD. 21133

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) 1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.

Insulate and reduce heating bills. 4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flys, etc 5. Improve appearance of house.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a

reposting and advertising fee and may be required to provide additional information.

AFFIANT (Handwritten Signature) MARK W. POINTER

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this ______ day of _____ Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARK W. & YVONNE POINTER the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITHESS my hand and Notarial Seal.

12/13/91 DATE

AFFIANT (Printed Name)

LEGAL DESCRIPTION OF PROPERTY

Beginning on the North side of Cedar Park Court, 50' wide, at a distance of 485' West of the centerline of Cedar Mill Road. Being Lot 24 in the subdivision of Cedar Mills. Book 57, Folio 86. Also known as 14 Cedar Park Court. In the 2nd election district.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

January 23, 1992

Mr. and Mrs. Mark W. Pointer 14 Cedar Park Court Randallstown, Maryland 21133

> RE: Petition for Residential Zoning Variance Case No. 92-249-A

Dear Mr. and Mrs. Pointer:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Lawrence E. Schmidt Zoning Commissioner

92-249-A CERTIFICATE OF POSTING

Date of Posting December 30, 1991 Variance - Residential Politicas: Mark W. Pointer and yvonne O. Pointer Location of property N/S Cedar Park Court, 485' West of C/L of Cedar Mill Road 14 Cedar Park Court Location of Signe In front of 14 Cedar Poute Court

receipi

Baltimore Comy
Zoning Commissioner
County Office Building
111 West Chesopeake Avenue

Account: R-001-6150

* ; T * $(a_0, \dots, a_{10}, b_1, b_2, b_3, \dots, a_{10}, b_1, \dots, a_{10}, b_1, \dots, a_{10}, b_1, \dots, a_{10}, \dots, a_{$ PERMIT

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BA 0010:56AH12-17-91

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Beltimore Count

the description and plat attached hereto and made a part hereof, petition for a Variance from Section __ 1801.2. C. 2. a BEZR AND VB. 5. a AND V.B. 5. b (CMDP.) TO PERMIT

A WINDOW AND BUILDING TO TRACT BOUNDARY SET BACK OF 25 FT IN LIEU OF THE REQUIRED 35 AT AND 30 FT RESPECTIVELY AND TO AMEND THE FIRST AMENDED FINAL

DEVELOPMENT PLAN OF CEDAR MILLS FOR LOT#24 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons

(indicate hardship or practical difficulty) 1. This area lends itself to the utilization of the existing facilities and land without interruption or major alterations to the present floor plan patterns.

2. Insulate and reduce heating bills. Reduce outside noise.

Contract Purchaser:

Elty/State/210 Code

224 8th AVENUE N.W.

Attorney's telephone number

GLEN BURNIE, MD. 21061

4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flys, etc. 5. Improve appearance of house.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of

this Petition.

MARK W. POINTER	
pe or Print Name)	w Pouti
gnature	
YVONNE O. POINTE	ER
YVONNE O. POINTE	ER

Name, address and phone number of legal owner, contract purchaser or representative to be contected. PATIO ENCLOSURES. INC.

224 8th AVENUE, N.W.
Address GLEN BURNIE, MD. 21061

CHOERED by the Zoning Commissioner of Baltimore County, this 17 day of PEC, 1991, that the subject matter of this petition be posted on the property on or before the 5 day of \sqrt{ArV} , 19 92.

ONING COMMISSIONER OF BALTIMONE COUNTY

A PUBLIC HEARING MAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER CROCKED by the Zoning Commissioner of Baltimore County, this ______ day of ______, 19____, that the subject metter of this petition be advertised, as required by the Zoning Law of Beltimore County, in two newspepers of general circulation throughout Seltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Seltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at ____ stclock,

ZONING COMMISSIONER OF BALTIMURE COUNTY

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

January 21, 1992

Mr. R. L. Tice Patio Enclsoures, Inc. 224 8th Avenue, N.W. Glen Burnie, MD 21061

> RE: Item No. 264, Case No. 92-249-A Petitioner: Mark W. Pointer, et ux Petition for Residential Variance

Dear Mr. Tice:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committe Coments Date:January 21, 1992 Page 2

 Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the peition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or imcompleteness.

Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Zoning Plans Advisory Committee

JED:jw Enclosures

ce: Mr. & Mrs. Mark W. Pointer 14 Cedar Park Court Randallstown, MD 21133

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning \ # P 111 West Chesapeake Avenue

17th day of December, 1991.

Towson, MD 2120 i

(410) 887-3353

Your petition has been received and accepted for filing this

Zoning Plans Advisory Committee

Petitioner: Mark W. Pointer, et ux Petitioner's Attorney:

700 East Joppa Road, Sinte 901 Towson, MD 2120+5500

(301) 887-4500

Baltimore County Government

JANUARY 6, 1992

Fire Department

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: MARK W. POINTER AND YVONNE O. POINTER

#14 CEDAR PARK COURT Location:

Item No.: 264

Zoning Agenda: DECEMBER 31, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be

7. The Fire Prevention Bureau has no comments at this time.

corrected or incorporated into the final plans for the property.

Noted and REVIEWER: Noted and Approved Planning Group F Fire Prevention Bureau Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director DATE: January 7, 1992 Zoning Administration and Development Management

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Fischer Property, Item No. 255
Pointer Property, Item No. 264 Lingelback Property, Item No. 263 Burleigh Property, Item No. none provided

In reference to the applicants' request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL:rdn ITEM255/TXTROZ

3214.92

BALTIMORE COUNTY ECONOMIC DEVELOPMENT COMMISSION

Memorandum

Julie Winiarski Office of Zoning Administration and Development Management

A. J. Haley, Deputy Director Economic Development Commission

Zoning Advisory Comments for Meeting of December 31, 1991

This office has no comment for items 262, 263, 264, and 265.

ZONING OFFICE

92-249-A

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 16, 1992 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for December 31, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 262, 263, 264, 267, 269, 270 and 271.

For Case No. R-90-407 (Cycle 3, Item #8), County Review Group Meeting is required.

For Item 265, a County Review Group Meeting is required.

ROBERT W. BOWLING P.E., Chief Developers Engineering Division

RWB: B

1-50 92-249-A

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: January 16, 1992

Mr. Arnold Jablon, Director

Office of Zoning Administration and Development Management

Rahee J. Famili SUBJECT: 2.A.C. Comments

Z.A.C. MEETING DATE: December 31, 1991

This office has no comments for item numbers 262, 263, 264, 267, 269

RJF/lvd

Baltimore County Government
Office of Zoning Administration and Development Management Office of Planning & Zoning

December 27, 1991

Mr. & Mrs. Mark W. Pointer

Randallstown, Md. 21133

Re.: CASE NUMBER: 92-249-A LOCATION: N/S Cedar Park Court, 485' W C/L Cedar Mill Road

14 Cedar Park Court

111 West Chesapeake Avenue

Towson, MD 21204

Please be advised that your Petition for Adrinistrative Zoning Variance has been assigned the above came number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

 Your property will be posted on or before January 5,1992. The closing date is January 20. —
 The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing data, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) great the requested relief, (b) deep the requested relief, or (c) demand that the metter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s). 3) Please be advised that you must return the sign and post to this office. They may be returned after

the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Yery truly yours,

J.A.Thomas







